

UNITED STATES OF AMERICA
 NATIONAL TRANSPORTATION SAFETY BOARD
 OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

COSCO BUSAN/BRIDGE ALLISION
 SAN FRANCISCO, CALIFORNIA

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* Docket No.: DCA-08-MM-004

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Interview of: MARK J. PEREZ

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 San Francisco, California

BEFORE: LARRY D. BOWLING
 National Transportation Safety Board

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I N T E R V I E W

MR. BOWLING: Okay, we are recording. It's Larry Bowling. We're here with the Operations Cell with the ongoing investigation of Cosco Busan. We're interviewing Mr. Mark J. Perez, who is the watch supervisor.

MR. PEREZ: Correct.

MR. BOWLING: With the Vessel Traffic Service at San Francisco. He is aware that the interview is being taped. And all the members of the organization, the Operational Cell, are still present with me.

INTERVIEW OF MARK J. PEREZ

BY MR. BOWLING:

Q. Mr. Perez, would you start us with some of your educational background and training post-high school?

A. Well, pretty much right from high school into the military. So most of my education is based through the military, through eventually through radar in school. So I spent 15 years as a radar man working with the Coast Guard.

Q. Okay. So are you retired Coast Guard?

A. I am retired Coast Guard.

Q. What did you retire as?

A. I retired as a RDC or Radar and Chief.

Q. Right.

A. Retired in November of 2003.

Q. Okay. Okay. I'm sorry for interrupting you.

1 A. Oh, okay. And then from -- do you want my experience as
2 far as my vessel traffic experience or --

3 Q. Well, yeah. Related to your specific qualifications to
4 assume your position.

5 A. Well, within, within the Coast Guard, I spent most of my
6 time onboard ships and most of the time all my shore units have
7 been here at VTS, San Francisco, as a third class petty officer
8 and then mate second, departing for a ship, came back as a first
9 class petty officer, departing as a chief petty officer, and then
10 went to a ship and then came back from my ship to fill a
11 supervisor role here as a chief petty officer for five years, and
12 then retired, went into the civilian aspect as a controller for
13 three years, and then just as of last year, last November, became
14 a supervisor here. So --

15 UNIDENTIFIED SPEAKER: Why don't --

16 MR. PEREZ: Yeah, but it's all been West Coast.

17 UNIDENTIFIED SPEAKER: There you go.

18 BY MR. BOWLING:

19 Q. Okay. So when was your first involvement functioning in
20 whatever role, whether it was as a third class petty officer or
21 what, you know, with VTS here in San Fran? You've been
22 bouncing -- when did you first have affiliation with --

23 A. 1985.

24 Q. 1985.

25 A. I was a third class petty officer assigned here from one

1 of the ships.

2 Q. And then you're basically RM-3.

3 A. RD-3.

4 Q. RD-3.

5 A. Correct.

6 Q. I am -- on radar. All right. Until 1985. All right.

7 And your official title at present is what?

8 A. Watch Supervisor, Vessel Traffic Management, Watch
9 Supervisor.

10 Q. Watch Supervisor. What does your, what does your
11 position require? What's your position description as a GS
12 employee?

13 A. Oh, the actual position description, I, I really
14 couldn't give you the, the actual wording of it.

15 Q. The work plan on --

16 A. To me, it's basically manage, manage shipping traffic
17 throughout the Bay to prevent collision, damage, any kind of
18 damage, collisions, using all the resources we have to prevent or
19 even to hopefully counter -- any type of damage or any situations
20 that may occur in the Bay. Additionally, I'm responsible for
21 managing the, the people in the Ops Center. My three watch
22 standers that I have. Or sometimes in some cases four, including
23 anybody that's in training. So we manage the -- I manage the
24 personnel aspect on the watch also.

25 Q. All right. So you basically have a supervisory role?

1 A. Correct.

2 Q. But you also have a responsibility to the -- your
3 immediate boss in uniform is who? Supervising you.

4 A. Well, directly to me is Lieutenant J.G. Zolmerick (ph.),
5 which is our Operations Officer.

6 Q. Okay. So your -- you report directly to the Operations
7 Officer?

8 A. Correct. Correct.

9 Q. All right, and that is who now?

10 A. Matt Zolmerick, Lieutenant, J.G.

11 Q. All right. With regard to the -- focusing on your
12 responsibilities from -- not the supervisory role, but from a
13 standpoint of getting the VTS mission completed, can you walk us
14 through in your -- basically using a mission statement or whatever
15 you have, what is the VTS's role here in San Francisco?

16 A. It's really to provide safe navigation. The primary
17 role, provide safe navigation throughout the day. Whatever --
18 using whatever sensors or whatever, whatever information we can
19 get to provide the best information to the mariner to make sound
20 decisions -- on the Bay.

21 Q. Okay.

22 A. And additionally, we also do -- we assist the other
23 Coast Guard units in search and rescue or law enforcement to
24 whatever extent we have --

25 Q. Okay. How do you perform that function? What tools do

1 you have provided to you by the Coast Guard to perform that
2 function?

3 A. Well, we have -- well, with obviously the initial
4 training that we go through, learning the, the federal
5 regulations. We learn the basis of that, the ins and outs. Kind
6 of what, what the maritime community is looking for as far as
7 working with the different agencies to understand what, what
8 they're wanting and then how we provide that. Additionally, we
9 have the, the different equipment that we have. Our operation
10 display consoles that basically integrate all our AIS and our
11 radar feed into the systems. We use that. And we also have the
12 radios from our various VHF radio sites, and then we also have the
13 cameras from the --

14 Q. Okay.

15 A. -- sites.

16 Q. Regarding the, regarding doctrine, the regulatory
17 material and documents and stuff, how -- what guidance do you
18 have? You referring to CFR's?

19 A. Correct, the CFR, 33 CFR.

20 Q. What section of the CFR are you referring to?

21 A. Well, 161 is the overall coverage, the whole thing, the
22 whole VTS --

23 Q. And that --

24 A. -- itself.

25 Q. -- navigation --

1 A. Correct, correct. Then, then you have -- then you break
2 it down to the different anchors regulations, EMS regulations.

3 Q. What other guidance do you have?

4 A. We do have our Standard Operating Procedure and then our
5 Training Guide, which feeds off that Standard Operating Procedure.

6 Q. Okay. The regulations we'll pull on our own, but I want
7 to look in the area of the Standard Operating Procedures. Walk me
8 through that system, just briefly. Expand on the concept of what
9 a Standard Operating Procedure is for the non-military folks, and
10 then I want you to -- I have some questions I want you to
11 specifically answer related to SOP here. So an SOP is what?

12 A. It's a basic guideline for us to, to tell us during a
13 certain situation or during an evolution this is what we should be
14 doing or it's more on a daily basis these are the functions that
15 the watch should accomplish.

16 Q. Okay.

17 A. And this is -- and they're guidelines of how to get that
18 accomplished.

19 Q. Okay. Are those readily available to you, if you need?

20 A. In our Ops Center at this point, no.

21 Q. Where are they held at?

22 A. There are scattered copies throughout the VTS. I have
23 personally there's, there is no SOP in the Ops Center that I'm
24 aware of.

25 Q. Okay. How do you know --

1 A. Well, it's -- well, I, I go with the Training Guide.
2 The Training Guide tends to follow the Ops -- the SOP. So the
3 Training Guide, which I have my copy of, and then there's various
4 copies throughout the Ops Center.

5 Q. Okay. Are there specific SOP's that should be followed
6 by your watch standing teams related to a allision? Is there a --
7 are you aware of one?

8 A. There -- we have a quick reference sheet for an allision
9 or collision, but we do not have, or at least I -- that I can
10 think of offhand, seen actual step by steps if you have an
11 allision these are the steps that you need to take. There are
12 quick reference sheets that we can go to, to assist us.

13 Q. Are those maintained in --

14 A. They are in the Ops Center, and they're -- yeah, they're
15 in the Ops Center.

16 Q. Okay. I'm going to show you -- this is NTSB-12, and
17 again if this is not the QRC you're referring to, just let me
18 know, but I was provided this QRC. I'll hand that down to you.

19 A. Yeah, that does, that looks familiar, so.

20 Q. Quick Response Check-off.

21 A. Yeah, this, this is the --

22 Q. Okay, well hang onto that a little bit.

23 A. Okay.

24 Q. The -- from the standpoint of a supervisor, do you
25 require your watch standing teams to utilize those, that guidance

1 or --

2 A. No, not really. It's more the, the supervisor tends to,
3 to handle that situation.

4 Q. Okay. But your responsibility to complete the QRC's?

5 A. Correct.

6 Q. Or to ensure they're completed?

7 A. They're -- well, again, I, I've not yet seen anything in
8 writing says that I must complete this QRC. The QRC's came up and
9 said these are the tools that you could use and you should use.
10 Quite frankly, they're not in a, in a system that's set up for
11 immediate access to use them though.

12 Q. Why do you say that?

13 A. Well, just in order for me to find this QRC, there are
14 several binders that we have at our supe's desk, they're not
15 really readily for like if there's an emergency grab this binder
16 and then immediately you're at that QRC. It's you've got to flip
17 through quite a bit of other extraneous data to get to that.

18 Q. Okay. Well, how -- and again we're going to explore a
19 bunch of areas here. How do your watch standers know what you
20 expect of them during an allision like the situation with the
21 Cosco Busan?

22 A. In, in most cases, it's just there's not -- there --
23 every now and then we'll have general discussions of what we would
24 do in the case. Most of the time it's just -- it's through
25 training and then as they're trained, we're kind of explaining to

1 them this is what we're looking for as the new trainee comes in,
2 and he's just -- at that, at that time, that information isn't
3 forced to them as far as this is what we're looking for. This
4 type of incident is what we expect you to do. This is what we're
5 looking for. There's not -- I can't say there's any kind of
6 reoccurring occurrence of that nature.

7 Q. But when you're talking about this exchange of
8 expectations, it is done in a written format or is it a group
9 discussion?

10 A. It's, it's typically a -- more of a discussion.

11 Q. Staying on the SOP's real fast. You said at your desk
12 and the supe's desk you have the -- basically a notebook system?

13 A. Correct.

14 Q. Document -- has all critical documents and so forth
15 there?

16 A. Correct.

17 Q. Are there -- but are all the SOP's that you're aware of
18 in this system on your desk or do you --

19 A. The actual SOP is not on -- at the supe's desk, I don't
20 believe --

21 (Simultaneous comments.)

22 A. -- in the Ops Center itself.

23 Q. Oh, okay.

24 A. These Quick Reference Guides that are there, one with
25 other related material from -- ranges from the law enforcement

1 zones and --

2 Q. All right. Do you know how those came into existence
3 and where your copies came from?

4 A. These came -- my understanding these came from the
5 Command Center.

6 Q. Okay. And the Command Center you're referring to --

7 A. San Francisco --

8 Q. -- San Francisco --

9 A. -- Command Center.

10 Q. Downhill?

11 A. Correct.

12 Q. Okay.

13 A. Prior to sectorization.

14 Q. Prior to sectorization. All right. Well, as a course
15 of routine duties on a daily basis, do any of your watch standing
16 teams complete QRC's in any format, whether it's an allision or an
17 oil spill or --

18 A. Typically no.

19 Q. Have you ever seen a completed QRC?

20 A. Not one completed, no.

21 Q. Okay. How long have you been here?

22 A. As a?

23 Q. Supervisor.

24 A. As a supervisor -- well, just a year as a, as a civilian
25 supervisor here now.

1 Q. Okay. Were you working as a civilian right after you
2 retired?

3 A. I retired and then worked as a controller --

4 Q. Oh.

5 A. -- as a civilian here.

6 Q. Okay.

7 A. For three years.

8 Q. Okay, all right. The -- going back to before we got
9 down the SOP road there, you were talking about the tools that you
10 use to complete your mission. Want to talk about the equipment.
11 I'm not quite sure -- we had a very good walk-through of the VTS
12 today, but can you just clarify where all the sentry equipment is
13 located, your radars, your cameras? First of all, please, in
14 layman's term to me, number --

15 A. Okay.

16 Q. -- how many number of stations are there for trying to
17 assimilate data throughout the -- the area.

18 A. Okay. Four radars. There are -- have to think about
19 it. Four radar sites.

20 Q. Four radars.

21 A. Each equipped with two separate radars.

22 Q. Four sites, two systems each.

23 A. Correct.

24 Q. Or two radars each. And they're independent?

25 A. Independent, correct.

1 Q. All right. Four sites, two each. A total of eight in
2 the system overall?

3 A. Right but only -- they're -- they run -- each site only
4 runs one radar at a time. So if one fails, we can --

5 Q. -- backup. So you don't lose coverage.

6 A. Right. There's a primary and a secondary on each site.

7 Q. Redundancy built in.

8 A. Correct.

9 Q. All right, so four sites. Can you tell me where they're
10 at?

11 A. Sure. There's the one here at -- local at Yerba Buena
12 Island.

13 Q. Right.

14 A. The one at Point Bonita.

15 Q. Point Bonita. That's north.

16 A. Correct, just west of the Gate, Golden Gate Bridge.

17 Q. All right.

18 A. And then you have another one at Point San Pablo, which
19 is the entrance to the San Pablo Bay. And then the fourth at
20 Meir (ph.) Island.

21 Q. Say again.

22 A. The fourth is at Meir Island.

23 Q. All right.

24 A. Just west of the Carquinez Bridge.

25 Q. Thank you. All right, now with regard to your cameras.

1 A. We have three local cameras here at YBI, all on the
2 towers up here. We have a -- the fourth one at Meir Island, and
3 then the fifth one at a site called Ozol, which is -- Carquinez
4 Straits.

5 Q. All right, for non-local people?

6 A. It's in the Ozol site. It's in the Carquinez Straits
7 between the Venetia and the Carquinez Bridge.

8 MR. BOWLING: Who on the team could point that out to me
9 on the chart when we get --

10 UNIDENTIFIED SPEAKER: Oh, okay.

11 (Simultaneous comments.)

12 BY MR. BOWLING:

13 Q. All right, so we have those camera locations providing
14 input.

15 A. Correct.

16 Q. Five cameras --

17 A. Correct.

18 Q. -- providing input.

19 A. And then we have the, the AIS stations. We have one at
20 Point Bonita, one in Mt. Camel Pias (ph.), one at, one at Walnut
21 Grove, which is -- upriver by Stockton or Sacramento, excuse me,
22 one at Bait Point, and one at Point San Pablo. So five AIS.

23 Q. San Pablo. Where was the one after Mt. Camel? You said
24 Mt. Camel and --

25 A. Mt. Camel Pias and then Walnut Grove.

1 Q. Walnut Grove, okay. Thank you. So five total AIS --
2 okay. How do you use this system of information collection? How
3 do you use that to --

4 A. It's all -- the information is all -- all comes in
5 through whether it's -- link or T1 lines.

6 Q. Right.

7 A. Comes into the, the equipment room into the center, and
8 then it's processed and then sent to the -- our ODP's, our
9 displays.

10 Q. How is that -- what, what do you use to process the data
11 to useable information?

12 A. Well, you mean as far as when it comes in? It's all,
13 well, it's all -- I don't know how it's all processed, but I
14 mean -- the information gets converted either at the site, and
15 then it gets, gets reconverted at the Center, and then processed
16 into the ODP's.

17 Q. Okay. The -- I actually had a learning experience with
18 the PAUSE (ph.). You guys use a different software here.

19 A. We, the PAUSE system, yeah, we don't -- I don't really
20 know a lot about it.

21 Q. What's this you use here?

22 A. We use the Coast Guard VTS system.

23 Q. Coast Guard VTS system.

24 A. Yeah, CGVTS.

25 Q. All right. Walk us through that. What is, what exactly

1 is that?

2 A. It's a graphic display of, of the area that you're
3 looking at that has incorporated AIS, has incorporated radar into
4 it, and then this way you have all the radar on any AIS track
5 center on that display would be -- will be displayed in the --
6 just a regular presentation -- describe it.

7 Q. Okay. And that is -- then basically once this data is
8 processed for lack of a better term or --

9 A. Right.

10 Q. -- it is visually displayed so that your watch standers
11 can manage --

12 A. Correct.

13 Q. -- traffic?

14 A. Correct.

15 Q. Okay. Is there an -- this may have been answered
16 already, but is there a way to capture data on this system, the
17 VTS system, with regard to if we went back and pulled from --

18 A. Directly in the Center, what all we can do is what we
19 call screen prints. Screen prints or slides. We can save still
20 pictures of an activity that's happening. The PAUSE system, which
21 is not incorporated into the CGVTS has ability to actually replay
22 that data. Our system does not have the ability to replay the
23 data, at least not in the Operations Center.

24 Q. Okay.

25 A. So the only way we have to do that again is to take

1 still pictures of an event as it happens.

2 Q. Okay. Want to talk for a minute about the regs. You
3 mentioned 33 CFR Part 180 or 161.

4 A. Correct.

5 Q. Are there any regs elsewhere that govern your work?

6 A. Well, we do have the Captain Aboard Orders for the,
7 the -- excuse me, the --

8 Q. Port Water Safety Act?

9 A. Well, yeah, the Port Water Safety Act, but there are
10 specific directions given by the captain of a port -- I drew a
11 mind blank on what they're called, but the captain --

12 Q. Okay. You say that basically Captain Uverde (ph.)
13 issues a --

14 A. Correct.

15 Q. -- control operation --

16 A. Exactly.

17 Q. -- control vessel.

18 A. Well, more of -- if like in the case of if we, we have
19 our general directions from the CFR's, which are then you know
20 broken down for, for our VTS purpose, and then the San -- Captain
21 of the Port of San Francisco may issue, these are the guidelines
22 for dealing with a hazardous cargo vessel. These, these are the
23 visibility requirements for the San Francisco Bay, and those are
24 the, are the rules that we adhere to.

25 Q. Okay. I've got a checklist -- I was going to talk to

1 you about through the course -- or through the previously --
2 things that come up. We don't want to -- high level supervisory
3 stuff rather than, you know, stuff -- your, your subordinate team
4 members would answer. So bear with me. I'm going to bounce
5 around here a little bit. Couple of your subordinates mentioned
6 low visibility reporting requirements. What exactly is that?

7 A. For -- I -- this is something I've never really -- I can
8 say I haven't seen in writing. It's just been a general
9 understanding. Anything under a mile, we basically report
10 everything that's -- that we see. So once visibility reduces to
11 under a mile, our, our procedures get ramped up. If necessary, we
12 bring in an extra controller, depending on the workload. And then
13 at that point, every ferry is reported to every ferry boat. If
14 there's any small contacts that we detect, those contacts are then
15 reported to whatever concerned traffic there may be.

16 Q. All right. If I was undergoing watch standing training
17 to assume a position within your, your -- how would you relay your
18 expectations to me with regard to what you wanted from me during
19 good visibility, times of good visibility and times of low
20 visibility?

21 A. It would, it would typically just be communicated, this
22 is, this is the standard that we have at VTS. This is kind of
23 what we've been doing forever type thing, and then it would be
24 explained to him.

25 Q. And I want to keep just talking in general terms.

1 That's fine, guys. We'll just keep talking in general terms, but
2 I want to jump into the specifics for the Cosco Busan briefly.
3 When did you assume watch on the 7th?

4 A. Approximately 5:30, maybe a little bit before --

5 Q. Okay. Is that your normal? You normally --

6 A. Well, I -- it varies. I stand any number of watches.
7 In fact, this Sunday, I'll go to the nightshift.

8 Q. Okay.

9 A. But at this -- the last two weeks have been days. So
10 I've been working from 6:00 to 1400.

11 Q. Okay. 1400. There are other, I assume there are
12 several other watch supervisors?

13 A. Correct.

14 Q. How many are there?

15 A. There are five -- well, five permanent watch supervisors
16 and two temporary that are controllers that fill in as watch
17 supervisors.

18 Q. All right, five permanent supervisors and two
19 that --

20 A. That are GS-11's that will fill the role.

21 Q. Okay. All right. So back to again on the specifics of
22 the 7th with the Cosco Busan. When you came in that day, you
23 assumed the watch at 5:30.

24 A. Correct.

25 Q. Did you initiate the low visibility reporting

1 requirements or were they already in place?

2 A. It was -- to me it was understood that they were already
3 in place. The visibility was -- when I came in was at that time
4 still a quarter to eighth a mile throughout almost the entire Bay.

5 Q. What did you say the visibility was?

6 A. Quarter to an eighth of a mile. Up river -- excuse me,
7 in San Pablo Bay, the visibility hadn't quite yet started shutting
8 down, but it -- within an hour into the watch, it was zero --

9 Q. And the watch was functioning at that point when you
10 assumed it under this --

11 A. Correct.

12 Q. Okay. Still talking about the low visibility reporting
13 requirements. I want to make sure I'm clear here, I've got you
14 right. Have you ever seen guidelines about what the expectations
15 are?

16 A. No, I have not. I, I can't say offhand that I recall
17 ever seeing -- and if I were to -- if they were to ask -- if
18 somebody were to ask me where I could find them, I could not
19 locate where those would be at.

20 Q. Do you feel that your crew has a full understanding of
21 what your expectations are during those --

22 A. I do.

23 Q. Okay.

24 A. Because it's just been we -- it's been something we've
25 been doing for awhile, and then just the mile was set, and then

1 that's what -- this is what we do.

2 Q. Okay. We'll move on. Don't want to beat that to death.

3 Are there -- are your watch rotations published in any --

4 A. Yeah.

5 Q. -- schedule?

6 A. Correct.

7 Q. How often is that generated?

8 A. Well, the, the monthly watch schedule gets -- that get s
9 produced every month as far as what watches each individual will
10 be standing. And then there's the watch rotation in the center,
11 which is not a published per se schedule. We run an hour and 20
12 minutes unless something else happens, and then basically it's
13 what, whatever controller wants to take what position, we'll take
14 that and then --

15 Q. Okay. I'm already off my, my track, so I'm --

16 A. Correct.

17 Q. -- clear we're both talking about specific, the incident
18 or just procedures, I mean your, your role as supervisor or
19 this particular -- with regard to the, the rotation amongst the
20 various responsibilities within a watch, the hour and 20-minute
21 interval --

22 A. Okay.

23 Q. Is that something that's standardized or something you
24 decide when the teams come in?

25 A. The, the hour 20 has been standardized ever since pretty

1 much I've been here. If we have what we call an optimum man watch
2 schedule, which is four controllers on at all times, then that
3 allows the Center to be fully staffed, all, all four positions in
4 the Center to be staffed, and that typically will be an hour
5 rotation.

6 Q. Okay. So that one point -- one hour 20 minutes can be
7 reduced down to an hour?

8 A. Provided we go to the optimum man watch. We have what
9 we call a minimal man watch, which is three controllers, one watch
10 supervisor. And that's the hour and 20 rotation. The optimum man
11 is four controllers and one supervisor, and that's -- typically
12 would be the one hour.

13 Q. Okay. Your personal schedule say at least back to the
14 sixth, the previous day --

15 A. Uh-huh.

16 Q. -- before you assumed the watch on the seventh, did
17 anything out of the, out of the unusual [sic] occur? Did you,
18 did you go without sleep? Did you have plenty of sleep? Were you
19 healthy? Were you sick?

20 A. Actually, yeah, I was kind of -- I was -- been thinking
21 about that. Really I think with the, with the time change and
22 then me going from the night schedule back to a day schedule, I've
23 actually -- surprisingly been going to bed fairly early which is
24 really fairly surprising for me, but --

25 Q. What -- do you recall what time you --

1 A. I'm typically going to be lately like 8 o'clock at
2 night, which is --

3 Q. Okay.

4 A. -- pretty early for me.

5 Q. Okay. So on the -- when you assumed the watch on the
6 seventh, were you well rested?

7 A. Yes.

8 Q. Okay. Or did you have any other -- I mean did you
9 have -- have cold medication or --

10 A. No, no, not at all.

11 Q. Okay.

12 A. No. With the exception of teenagers, that's --

13 Q. I'm sure -- okay. What -- where would I find -- back to
14 this training mode with me.

15 A. Okay.

16 Q. If I was a third-class petty officer or a non-rate
17 fixing to go to A School, and I'm in here working through to train
18 myself, get a little prep before I went to OSA, if I asked you,
19 Mr. Perez, what are pre-call requirements, what would you tell me
20 and where would you point me?

21 A. Well, we do have our Training Guide, which, which breaks
22 down exactly what a pre-call is, what a sailing plant report is, a
23 deviation report. It has everything broken down. So you would
24 have that guide. In fact, every trainee gets that guide. And
25 that's usually what we'll use to, to keep up on current -- on the

1 policy and procedures that are in place today.

2 Q. Okay. Is that, is that requirement to check in at 15
3 minute -- prior to potentially getting underway is spelled out in
4 the CFR?

5 A. That is. It's spelled out in the CFR, but it's also
6 spelled out in the Training Guide.

7 Q. Okay. Referring strictly to the CFR, is there a list of
8 criteria that must be provided to VTS --

9 A. As far as -- correct, correct. What, what is to be
10 provided and --

11 Q. Can you walk me through that?

12 A. As far as?

13 Q. What's required?

14 A. What's required for --

15 Q. Yes.

16 A. 15 minutes prior to entering the system, they are to
17 give us their -- the vessel name. If it's a piloted ship, a pilot
18 name. Where they, where they're departing from, their
19 destination, and we'll typically get the tug frequencies, which
20 actually that's not one of the CFR's where we can get the tug
21 frequencies there.

22 Q. Right.

23 A. And we'll also get their route intentions, what their
24 intentions are for that transit.

25 Q. Okay. One of your, one of your team members used the

1 term exempted vessel. Can you explain to me exactly what that is
2 in your mind?

3 A. Well an exempted vessel is any vessel that, that meets
4 the typically reporting requirements.

5 Q. Right.

6 A. And then but they're not required basically due to
7 their, their -- if it's a ferry boat, it's because he's on a
8 public schedule. So that vessel is exempted from checking out
9 with the VTS. They're required to check in, as any other vessel,
10 and then when they get to their destination because they're on a
11 published route, they're not required to check out. A vessel
12 that's operating within three nautical miles radius is actually
13 not required to check out with us. They are required to check in
14 but not required to check out.

15 Q. Okay. Is that spelled out in the Code of Federal
16 Regulations --

17 A. Yes, it is.

18 Q. -- Code of Federal Regulations? Okay. We'll pull that
19 and read that. Okay, I think just -- I had some notes through the
20 other interviews. I think I've covered that very well. My team
21 mates may ask you some more stuff related to that. I want to get
22 into the specific event of the incident with the Coast -- or Cosco
23 Busan, Busan. Did you assume the watch -- in the role of watch
24 supervisor 0545 on the 7th?

25 A. I believe it was on a 5:30 --

1 Q. 5:30.

2 A. Correct.

3 Q. Okay. We have a good idea where your team was at the
4 time of the rotation. So we won't go there unless anybody wants
5 to go on their own, but what do you recall was your first
6 involvement with a pilot under the unit name Romeo or a vessel
7 called the Cosco Busan?

8 A. His initial check-in, which at that time he was given
9 the traffic, which I believe was an inbound tug, the Waymar (ph.).
10 He was also given the dredges, and he was given a visibility
11 report for the Bay. Matter of fact, he asked if that visibility
12 report extended it throughout the Bay, and we told him, yes, it
13 was -- it encompassed the entire bay according to -- the reports
14 that we were getting.

15 Q. Do you -- what time it was? Feel free to --

16 A. We're looking, what, at 8, 80 -- oh, no, excuse me.
17 That's when he was actually underway. It was about 6:30 is what I
18 have. I don't have the --

19 Q. You refer to your statement?

20 A. Yeah, my statement, when I did my statement, I did not
21 review any of the, the timeline stuff. I just did it right after
22 I got off watch, so.

23 Q. The best way you could do it.

24 A. So it was about 6:30 or so that we provided that
25 information.

1 Q. And again, I'm just trying to -- we've got a better --
2 we've got -- get timeline more accurate. So just what you recall.
3 Anything unusual at that point over his check in?

4 A. No. It was as standard check in, and that's really
5 pretty much it. It was just -- there was nothing.

6 Q. Okay.

7 A. And we gave him the traffic, the visibility, and
8 we're -- just told him to call when he was underway.

9 Q. Okay. And we had a tour of the, the VTS today, briefly
10 stepped into the watch area. And your desk, if I'm in like the
11 little viewing window on the outside looking that direction, your
12 desk is to my right and on a pedestal so you can kind of see
13 the --

14 A. Correct, correct.

15 Q. Okay. At that -- in that location, are you -- how are
16 you monitoring what's going on throughout the --

17 A. I have that -- my OD -- is the same as their -- as the
18 other controllers, so --

19 Q. Your -- means your display?

20 A. My display. My display system is the same as all the
21 other controllers. So I have the monitor to monitor there.
22 Typically, I'll turn around and talk with the controllers and
23 actually engage with them as far as anything going on. Plus I am
24 also plugged in on the radio, so I hear --

25 Q. Are you monitoring 12 and 14?

1 A. I'm monitoring 12, 13, 14, 10 and 16.

2 Q. Say that again.

3 A. 12, 13, 14, 16, and 10.

4 Q. When you say monitoring those channels, to what extent
5 do you mean monitoring? You're keeping --

6 A. I, I'm actually listening to what's going on.
7 They're -- typically each channel will be set up a lower volume
8 level more than the other. So quite often I'll have 13 a little
9 bit higher because that allows me to grab passing arrangements or
10 hear arrangements being made on 13 while the -- while I have two
11 other people that are monitoring Channel 14. So if I miss
12 something on 14, I could ask, and I could replay immediately
13 depending on the traffic. I could replay what was said or I can
14 just ask one of the controllers what was said. One of the things
15 I do is while I'm listening to 13, I can pass, passing
16 arrangements that are made to the, to the controllers, what was
17 made and what decisions were made on 13 or even on 10, some cases.

18 Q. Okay. What other areas are you monitoring? You have
19 visual --

20 A. As far as --

21 Q. -- that you monitor.

22 A. Also I'm dealing with, with the phones, our phone
23 system. I basically handle all the phone calls that come into the
24 Center. With the exception of the first 40 minutes of the watch,
25 we have a designated watch assistant that will take all the phone

1 calls; and the last 40 minutes of the watch, there will be a watch
2 assistant that will take all the phone calls. And then so -- deal
3 with the phone calls. I'm also dealing with the message traffic,
4 the Coast Guard message traffic. And the -- whatever e-mails have
5 been generated. And additionally the advanced notice -- arrival
6 list, I'm verifying that list.

7 Q. On those telephone -- the telephone monitor
8 responsibilities at your desk, you're talking -- you said watch,
9 last 40 minutes of the watch, you're talking about from 0600
10 to --

11 A. 0640, correct. There will be somebody -- if we are
12 not -- if we are in a minimally manned -- the watch assistant will
13 be in there for the first 40 minutes unless I, I believe that he
14 needs to be there longer.

15 Q. Okay.

16 A. Then he'll, he'll spend as much time as required. But
17 if we're in an optimally manned where we have four controllers,
18 the, the hope is that the supervisor won't get any phone calls.
19 It will be that, that individual taking those calls.

20 Q. I've got you. Okay. Now as far as the visual data
21 you're monitoring, what else are you monitoring?

22 A. Well, the, the cameras. Obviously, my display, the
23 computer itself, the -- standard work station, depending on again
24 message traffic, Coast Guard message traffic, Coast Guard e-mail
25 or I may be processing a pilot list to make sure that -- we take

1 what the bar pilots give us. The bar pilots on the website have
2 a -- their, their list of departures and arrivals. We convert
3 that into our own format, which is called the Perspective List
4 that we, we print and get to the controllers so they have an idea
5 of what shipping traffic they can expect to encounter while
6 they're on watch.

7 Q. Okay.

8 MR. BOWLING: Ross, if you would make a note, we'll,
9 we'll need to get up for the date of, the date of the 6th and the
10 date of the 7th, Perspective List. Because that -- the 6th will
11 cover the inbound transit; the 7th will cover the outbound
12 transit.

13 BY MR. BOWLING:

14 Q. Am I using that terminology correct?

15 A. Correct.

16 Q. Perspective List. All right, so after the initial
17 check-in, when was your next interaction with Unit Romeo?

18 A. I know that he was -- he, he called us up telling us
19 that he was delayed in paperwork, and then there was a couple of
20 times where we had a tug check in, and we attempted to get a hold
21 of him at the dock. Typically we find that once a pilot checks
22 in, he's on his tug frequencies. So if we can't, you know,
23 hold -- we usually wait until he checks in again or we'll try him
24 occasionally just because we know that he's busy on his tug
25 frequencies typically. So he was given additional traffic, which

1 was the Tug Solano, which created an R&A conflict for him because
2 his vessel is over 1600 gross tons. The tug coming in was over
3 1600 gross tons, and they could not meet in the open bar channel.

4 Q. Okay.

5 A. Unit Romeo indicated he would wait and allow the Solano
6 to, to pass his position, and then he would get underway and
7 proceed outbound.

8 Q. Okay.

9 A. At that time, I believe he also indicated that he had
10 enough visibility that he could see the other side of the estuary.

11 Q. That -- you said they, they can't meet in that channel.

12 A. Correct.

13 Q. That is found in the Code of Federal Regulations?

14 A. Code of Federal Regulations, right.

15 Q. All right, as a regulated nav area. Okay. Bear with me
16 here. I'm working through the statement, and much of that I have
17 here. As far as the -- do you recall the VHF transmissions when
18 the Unit Romeo indicated he was going to get underway with the
19 Cosco Busan from the Berth 56?

20 A. Correct.

21 Q. How was the pilot's verbal exchange on the VHF at that
22 point?

23 A. Nothing out of the ordinary. He, he indicated he would
24 wait for the Solano to clear its position, and then he would get
25 underway once it cleared.

1 Q. All right, and the Solano, again, is?

2 A. Is a -- was a tug that was inbound from, from the
3 Oakland Bay Bridge into the estuary.

4 Q. Okay, all right. Do you recall any further radio
5 communications with the pilot at that point to the VTS?

6 A. None at all until the, the controller, the sector
7 controller, Frank Sheppard -- along his, his intentions.

8 Q. Okay. At that point, before we get into that VHF
9 conversation, what was going on in the watch center just prior to
10 that radio contact you mentioned?

11 A. It -- basically just everybody kind of, you know, just
12 monitoring traffic. It was, it -- there was -- of fishing boat
13 traffic or we assumed fishing boat traffic, very small little
14 traffic on the offshore sector.

15 Q. Right.

16 A. So the offshore controller was, was manually acquiring
17 all these small tracks. The, the Central Bay radar operator --
18 again we're dealing with the different, different calls coming in.
19 The off position person was not in the Center. And then myself,
20 I -- at that time I was processing the advanced notice to arrival
21 list.

22 Q. Okay. So what -- Mr. Sheppard brought this potential
23 maneuvering to your attention or --

24 A. Both, both Petty Officer Cooper and Mr. Sheppard at the
25 same time basically indicated, what is Romeo doing? And at that,

1 at that point, everybody dropped everything -- well, I did.
2 They -- and then Frank Sheppard immediately went out on the radio
3 and, and was asking him his intentions, and then provided the
4 course information that we showed on AIS, and then again asked him
5 what -- and what his intentions were as far as was he still
6 planning on Delta Echo. When we got the response back then, the
7 courses didn't jive. We could see on AIS that the course was
8 showing one thing, but you could see that the ship was turning
9 under the, the ICON itself. So the AIS had not in our opinion, at
10 least in my opinion, the AIS had not quite caught up with the
11 radar track. So --

12 Q. Okay.

13 A. -- because AIS, depending on the speed of the ship and
14 its rate of turn will only update every so often, and typically
15 it's every six seconds in a, in a turn.

16 Q. Okay. And that -- where do you draw six seconds from?

17 A. That was from the information we were given to us on
18 training --

19 Q. Okay.

20 A. -- when AIS first came online.

21 Q. Okay. That was from an independent contractor or --

22 A. It was from our Training Coordinator, Scott Humphrey.

23 Q. Okay. So that's just -- trying to figure out the source
24 of that. Okay. So the, these, these maneuvering characteristics
25 of the vessel caught the attention of your --

1 A. Correct.

2 Q. -- watch --

3 A. Correct.

4 Q. Did you -- how did the radio -- did -- was there a
5 decision made to contact the pilot or the vessel on VHF?

6 A. Mr. Sheppard just went out and did that.

7 Q. Okay.

8 A. Right. Because it appeared that he may be heading into
9 the South Bay based on his position. Our initial thought was
10 maybe he's in the South Bay or he had -- that he had aborted his
11 approach or possibly he had changed to an alternate span. And so
12 we weren't exactly sure, and that -- a pilot changing to an
13 alternate span is, is quite common, so it's not --

14 Q. Did any, did any of the team members get alerted prior
15 to that? Did -- at any time did they bring to your attention the
16 vessel may have been run on a parallel course with --

17 A. No, not that I recall.

18 Q. All right. So once Mr. Sheppard goes out on the
19 VHF --

20 A. Uh-huh.

21 Q. -- and we've got the transcripts, but basically, he
22 brings the course to the attention of the pilot.

23 A. Correct.

24 Q. Do you recall the feedback?

25 A. The feedback was he was on -- he was showing I believe

1 he was showing course different from what we had. We had 2-3-5
2 and he was showing -- he said he indicated 2-8-5, something of
3 that nature. His demeanor was very calm, and so I think as, as he
4 was making his turn we, we said, okay, well maybe the AIS hasn't
5 quite caught up or maybe it's shooting for an alternate span at
6 that time. When asked if he was still intending Delta Echo, he
7 said, yes, and we kind of just stopped there for a couple of
8 reasons. One, I think we just -- I think it was just kind of a
9 mutual understanding. It, it's -- we didn't want to distract too
10 much away from the situation not knowing what was going on on the
11 bridge, and secondly the number of ship rides that we have done
12 onboard because the VTS had a ship ride program where we ride with
13 the pilots, pilots typically ask not to be called in that area.

14 Q. Sure.

15 A. Just because they're concentrating on what they're
16 doing. So we try to limit what we have. So we provided him with
17 the information, and we weren't really sure what his intentions
18 were at that time.

19 MR. BOWLING: Tim, or Commander, if you'll hand me that
20 recorder, I want to make sure I've got plenty of battery power
21 left. These things drain batteries down like no tomorrow. Okay,
22 we're doing good.

23 BY MR. BOWLING:

24 Q. Once the pilot got back with you and basically seemed to
25 give you some verbal reassurance he knew where he was at --

1 A. Correct.

2 Q. -- what was the next course of action when you
3 guys --

4 A. It was --

5 Q. -- on watch?

6 A. On my, on my display, I was able to zoom in to kind of
7 follow his track. And it was apparent to us, I mean to me -- that
8 was extremely close. But, again, not having that kind of
9 definition, you really couldn't tell whether he had actually hit
10 the bridge or not. The next call we got was from Unit Romeo
11 indicating that he had touched the bridge, and that he would, he
12 would continue to proceed to, to the anchorage.

13 Q. Okay. Once you got that, once you got that notification
14 via VHF, I've got a good idea -- we've talked to the watch
15 standers. We kind of know what they were doing there. What were
16 you doing as the, the supervisor?

17 A. My first response was right --we found out that he had
18 touched the bridge, and I called the command center, and
19 immediately notified them of, of an allision to the bridge, and
20 uncertainty at this point to the damage to the vessel or to the
21 bridge, and also that the pilot was -- will be proceeding to
22 Anchorage 7 to anchor the vessel.

23 Q. Okay. How did you contact the command center?

24 A. Through the phone, telecon.

25 Q. Yeah. All right. Who did you talk to down there?

1 A. Petty Officer Vidowski.

2 Q. Vidowski.

3 A. Yeah, V-i-d-o-w-s-k-i.

4 Q. V-i-d-o-w --

5 A. -- s-k-i.

6 Q. All right. And so what information did you --

7 A. I provided, again what the pilot had told us as far as
8 the allision happening. He was unsure of any damage to the vessel
9 or to the ship -- I mean to the bridge again to the piers. That
10 we would -- I explained to her that we, we noticed that he was off
11 track for his approach to the bridge, and then that the pilot
12 indicated that he, he was still intending Delta Echo outbound.
13 Basically exchange of information. I also informed her that I
14 would contact Caltrans and provide them with that information, and
15 then she would brief it up to her command.

16 Q. What role is -- Vidowski in the Sector --

17 A. She was either the situational controller or the
18 operational controller down there. I'm not really sure what
19 position she was manning. Typically when we call down to the
20 Command Center, we get one of three entities. We get the
21 situational controller or the -- we'll get the operational
22 controller or we'll get the, the duty officer down there. It just
23 depends who picks up the phone at that time.

24 Q. Okay, and you say duty officer. Is that another term
25 for --

1 A. That would be --

2 (Simultaneous comments.)

3 A. Correct.

4 Q. All right. So at any time during this -- your initial
5 notification to the Command Center, did you -- were you aware
6 there was an oil spill?

7 A. No.

8 Q. Okay. Did that ever come over the radio?

9 A. No, it did not.

10 Q. Okay. So the initial communication flow to the Command
11 Center was just pertaining to an allision?

12 A. Correct.

13 Q. And then you said the pilot said he was unsure of
14 damage. Was he referring to the bridge or the ship?

15 A. To, to both, to both the bridge and the ship, he was
16 unsure of the, the extent of the damage.

17 Q. All right, and then you verbally over the telephone
18 informed Petty Officer Vidowski that you would contact --

19 A. Caltrans, correct.

20 Q. -- Caltrans? Okay. So walk me through --

21 A. Okay.

22 Q. -- that exchange between you and Petty Officer Vidowski.
23 Is that a male or a female?

24 A. It's a female.

25 Q. Female, okay.

1 A. Basically, that's it. I just -- we -- I talked to her.
2 I said Petty Officer Vidowski, this is Mr. Perez from the Vessel
3 Traffic. Just -- I have Unit Romeo aboard the container ship
4 Cosco Busan, 900-foot container ship, has had a collision or
5 possibly an allision with the bridge.

6 Q. Okay. And you ended it with that?

7 A. Well, we -- I ended it, and I told her I would contact
8 Caltrans, and I'm going to extent -- well, first of all I told her
9 I was -- I did not know the extent of the damage. The pilot did
10 not have -- did not have the extent of the damage to the ship or
11 to the bridge.

12 Q. Okay, and ballpark what time was that?

13 A. Let's see, about 0830.

14 Q. Okay. Did -- who would you next contact?

15 A. I believe I called -- I'm unsure of the exact -- if, if
16 Unit Romeo called me first or I believe he called me first on the
17 phone and indicated he had just had an allision with the bridge,
18 and, and that the damage he thought was minor, maybe paint more
19 than anything. That was his initial impression. I had asked him
20 whether the crew was conducting soundings of the ship, and he said
21 the crew is doing what he -- what they should be doing.

22 Q. So how did -- I lost you on this. I just --

23 A. Okay.

24 Q. So you -- this was over a telephone or VHF?

25 A. It was over the phone.

1 Q. Over the phone.

2 A. Yes. Unit Romeo called me up on the phone.

3 Q. All right.

4 A. And, and indicated -- gave me an update of what had
5 happened. At that time, I'd asked him, you know, he believed that
6 the damage was minimal, more of a paint type scraping type thing,
7 and that he would take the vessel in Anchorage 7. I then in turn
8 asked him, you know, is the crew taking soundings of the vessel?
9 And he said the crew is doing what they need to be doing, and so I
10 told him well, I told him, Captain, I'll let you get back to
11 navigating the ship, and, and, you know, take care of those issues
12 ahead of time --

13 Q. All right. So this was -- after the VHF --
14 (Simultaneous comments.)

15 Q. -- touched the bridge.

16 A. Right.

17 Q. Then you telephonically notified the Command Center.

18 A. Correct.

19 Q. And he -- then you got incoming call from the Captain
20 Romeo or Unit Romeo.

21 A. Correct, correct.

22 Q. Okay.

23 A. The, the timing of that call because of everything that
24 was going on, I'm not sure if, if he -- I know he called almost
25 within a few minutes after the, the allision with the bridge. I'm

1 not sure if I was on the phone with Caltrans at the time and then
2 one of the other controllers took the call, but I did talk to him
3 within a few minutes after that had happened.

4 Q. All right. So that -- we're just going to -- I know
5 you're going --

6 A. Sure.

7 Q. -- from recollection, so we'll -- kind of piece that
8 together after 8:30. We'll -- we will need phone logs and -- all
9 right. So that basically was -- you -- an on-scene assessment
10 that Unit Romeo provided to you, I mean summary what all the data
11 you guys were exchanging.

12 A. Right.

13 Q. Via the telephone. So what, what was the next step?

14 A. Well, in turn, he, he took the ship to anchorage. I
15 did, I did talk to Caltrans dispatch, which a guy -- I talked to
16 three or four different people. I was being passed off and passed
17 off.

18 Q. Right.

19 A. And I finally was able to, to talk to an individual and
20 explain to her what had happened, and she said that she would in
21 essence brief it up and, and that they would --

22 Q. All right. So any -- I'm trying to follow things in
23 time line. Keep in mind this whole group last two or three days
24 we've been --

25 A. Oh --

1 Q. -- I hate to keep asking questions that are redundant,
2 but -- so once you hung up with the operational controller, Petty
3 Officer Vidowski --

4 A. Correct.

5 Q. -- during that course of the conversation, you informed
6 her you'd take care of the --

7 A. Notification to Caltrans.

8 Q. -- Caltrans for to meet the mandated bridge allision
9 requirements, reporting requirements?

10 A. That -- if they have a requirement to contact them, I'm
11 not sure. I said I would let Caltrans know on our end --

12 Q. Okay.

13 A. -- that this had happened, from a VTS point of view. If
14 they have a requirement, I don't -- that I'm not aware of.

15 Q. Okay. Do you -- part of your job description, are you
16 required to make that notification to Caltrans or did you
17 volunteer to do that?

18 A. I volunteered to do that.

19 Q. Okay.

20 A. But typically with any type of an allision to the
21 bridge, that's, that's what we'll do is we'll immediately try to
22 notify the bridge offhand, you know, as soon as we can.

23 Q. Yes. But are you aware of any standing orders from
24 either --

25 A. I know that -- no, I'm not. I, I do know in the, in the

1 QSR, the Sector's QSR, the Command Center's QSR, that is one of
2 their requirements. That's one of their checklist items.

3 Q. But you at least initially said you would volunteer to
4 do that?

5 A. Correct.

6 Q. Okay. And Vidowski, she understood you communication?

7 A. I believe so, yes.

8 Q. Okay. All right. So phone goes click, phone goes click
9 with her. How long was it at that point until Unit Romeo the
10 phone got patched into you or --

11 A. I would say within, within three minutes, three to four
12 minutes.

13 Q. So would do you say we're at in time?

14 A. 30, 35, 34, 35.

15 Q. All right. So walk me through that conversation again,
16 to the best of your recollection.

17 A. The -- what part of that, that you're looking --

18 Q. Well, just the -- how was the Captain at that point from
19 a standpoint of verbal --

20 A. Well, on the phone, he was obviously rattled that that
21 had happened. He reported to us that -- again, he gave me the
22 information that they've just alighted with the bridge. He didn't
23 think it was very serious to the extent of maybe paint damage. He
24 would take the vessel to Anchorage 7 and anchor and standby to
25 standby and for whatever was required of him next.

1 Q. Okay.

2 A. And, and I told him my, my thought was my more pressing
3 issue was I didn't want to keep him on the phone too long because
4 he's still navigating the ship, and, and limited visibility. So I
5 said, Captain, just, you know, take the ship to anchor and, you
6 know, and, you know, we'll let you get back to navigating the
7 ship.

8 Q. Okay. What was the next thing that happened on your,
9 your desk?

10 A. Well, I did get a call from the Command Center
11 indicating -- from Petty Officer LaRue, that they would be issuing
12 a broadcast, basically a safety broadcast that there had been an
13 allision with the bridge. I think that was more just a FYI this
14 is what we're doing on Channel 16 type thing.

15 Q. From -- all right. I'm just making some notes here. So
16 after you -- after Unit Romeo and you hung up, you got a --

17 A. Call from the Command Center.

18 Q. Okay. Incoming from the Command Center?

19 A. Correct. Indicating that they would be doing a
20 broadcast.

21 Q. All right. Who was that from?

22 A. Petty Officer LaRue, L-a-r --

23 Q. And when you say a broadcast, basically notice to
24 mariners?

25 A. Correct. A security broadcast telling people -- and

1 that was done on Channel 16 -- that there had been an allision and
2 proceed with caution in the area.

3 Q. Do you know what time that went out?

4 A. You know, I don't recall. 8:35 is when she called me
5 and told me that she was going to do that. I heard the broadcast.
6 I couldn't tell you what time it was though.

7 Q. All right. I realize things at this point are probably
8 getting really -- if you don't know the answer, don't -- just say
9 you --

10 A. Yeah, sure. No problem.

11 Q. I'm getting dizzy just following it -- two weeks after
12 the fact that we -- all right, so that was an inbound call from
13 the Command Center. What happened at -- what was the next?

14 A. Actually, what, what the -- as I'm looking at what I
15 wrote down here, the initial -- with the initial call from Unit
16 Romeo, he also -- I also got his telephone number, his cell phone
17 number, and then I did call, I did -- after that I provided the
18 information to Sector also, his cell number, the pilot's name and
19 the cell number.

20 Q. That was an outbound call after the incoming call on the
21 security --

22 A. That was from the initial call that he, Romeo, provided
23 us. So three and four minutes after the allision when Unit Romeo
24 called me up to tell me of the allision, I also obtained his cell
25 phone number at that time and then provided it to the Command

1 Center.

2 Q. When did you provide that to the Command Center?

3 A. At 8:44.

4 Q. All right. Can I get -- keep that thought process. I
5 had your written statement very well detailed in front of me and
6 with everybody else's statement together, and suddenly it
7 disappeared in thin air. Is that mine or --

8 A. Okay.

9 Q. Well, I don't want to take yours away.

10 UNIDENTIFIED SPEAKER: It's stapled to the front of
11 the --

12 MR. BOWLING: Am I losing my mind --

13 UNIDENTIFIED SPEAKER: Okay.

14 You can tell how much sleep I've been working on. My
15 apologies. This is what I'm looking for.

16 BY MR. BOWLING:

17 Q. All right, so you provided, you provided that to the
18 Command Center, the, the contact information on Unit Romeo to the
19 Command Center.

20 A. Correct.

21 Q. And that was provided, passed to who?

22 A. I don't recall the -- that I passed that to, just to the
23 Command Center.

24 Q. Okay. All right. So once you got the incoming from
25 Mr. -- Petty Officer LaRue regarding the security broadcast, what

1 was the next step?

2 A. After passing the information to the Command Center on
3 the pilot's cell phone number.

4 Q. Right.

5 A. The next call I received was from Captain Pete Gyzik
6 (ph.), basically telling me he'd just gotten off the phone with
7 Captain Eberdie (ph.), and that there was debris, possible debris
8 in the water. There was fuel in the water. And then he also
9 recommended at that time I contact the Corps of Engineers to have
10 a boat come out to pick up any -- to, to get any debris.

11 Q. Okay, that was from Captain --

12 (Simultaneous comments.)

13 UNIDENTIFIED SPEAKER: Just a minor point. He's the
14 port agent instead of the ops pilot.

15 UNIDENTIFIED SPEAKER: Okay.

16 BY MR. BOWLING:

17 Q. Port agent, all right. That was via telephone?

18 A. Correct. Correct.

19 Q. Okay. What was -- you said he had a comment about
20 seeing debris.

21 A. He said there, there would be debris in the water.
22 Although he didn't indicate that he didn't really say then he saw
23 debris. He said there's, there's debris in the water and there is
24 fuel in the water. So the amount of debris, I didn't know or the
25 amount of fuel --

1 Q. All right. All right, so what was the next? What
2 occurred next?

3 A. The next step was -- obviously I informed the watch that
4 we had fuel and possibly debris in the water, and --

5 Q. That went down to -- Command Center?

6 A. No. You know, I did not initially tell -- well, wait a
7 minute. Did I?

8 Q. You're around 8:48.

9 A. 8:48. That -- no, I did not provide that to the Command
10 Center because he said he had just got done talking to Captain
11 Eberdie. So to me that was the Command Center. Hadn't -- knew
12 the information.

13 Q. Okay.

14 A. And then I -- then in the next call was, was Unit Romeo
15 at 8:50 indicating that he was anchoring the vessel.

16 Q. Okay. At 8:50 you indicated the Cosco Busan now
17 anchored at Anchorage 7?

18 A. Correct.

19 Q. Where did you pull -- tell me how you got to that
20 conclusion?

21 A. He, he called us on the radio.

22 Q. Called you on the radio.

23 A. Called us on the radio and said he's letting the hook
24 go, letting the anchor go. At that time it was 8:50, and he told
25 us how many shots he was pulling as well --

1 Q. All right. Okay. And that was via VHF?

2 A. Correct.

3 Q. All right. Keep -- working down --

4 A. Okay. The next call was a, was a land line call from
5 Unit Romeo indicating that the vessel -- he sees fuel around the
6 vessel. The vessel is still discharging fuel.

7 Q. Okay.

8 A. And he could see the, the fuel around the vessel itself.
9 And that the crew is still taking actions to stop the leak. They
10 don't know where the, the fuel is coming from. They're trying to
11 isolate that information. I immediately notified the Command
12 Center of the report right after that or after I got off the phone
13 with him. And then --

14 Q. Your timeline now.

15 A. We're at 8:54.

16 Q. Okay.

17 A. So right after he called, I get off the phone with him,
18 I then in turn notified the Command Center. Who I spoke to, I
19 couldn't tell you offhand. And then I was informed that at that
20 time the response was already taking place.

21 Q. Okay. You, when you went back to -- 8:54 Unit Romeo
22 called in via telephone, and then 8:55 Captain Hobart, Units 37
23 called in via VHF?

24 A. No.

25 Q. Hoburg.

1 A. Correct. That was over the radio.

2 Q. Over the radio. All right. And then somewhere -- well,
3 where -- the next line down you're saying at 8:59 VTS issued a
4 secure -- broadcast. When did the -- you were mentioning
5 something about another telephone call back to the Command Center.

6 A. Correct. With, within that 8:54 it says SEC notified,
7 notified situation.

8 Q. I got --

9 A. And -- at that time told him that the pilot had reported
10 that there was fuel in the water. It actually -- there's
11 actually, I believe, detail of that. It's probably -- no, I take
12 that back. That's --

13 Q. Okay.

14 A. But I, I, you know, I may have to go back to the tapes.
15 But at one point, I did ask them, I was told that their response
16 was that there's a, there's a Coast Guard boat out there with the
17 investigators, and then my next response was, well has anybody
18 notified anybody such as the Pacific Responder, which I was told
19 notification has been made. The Pacific Responder is one of the
20 oil --

21 Q. At point 8:54 is when you were, you were on the line
22 with the situational control unit or Command Center, Sector
23 Command Center, that's when you were -- you asked whoever picked
24 up the phone at that point?

25 A. Correct. Because I, because we were trying to determine

1 what the response was.

2 Q. Right. Do you recall who picked the phone up?

3 A. I believe it may have been Petty Officer Vidowski again.

4 Q. Okay.

5 MR. BOWLING: Somebody -- taking notes, I'm going to
6 need to get somebody else's copy of -- I'm taking a lot of notes
7 on here. And all we've been doing is the timeline is just so hard
8 to track who he's talking to and so forth -- crazy.

9 BY MR. BOWLING:

10 Q. All right, so maybe Vidowski. All right. You had a
11 series of -- you had a series of looks like reports of -- ACOE,
12 the Army Corps of Engineers.

13 A. Correct.

14 Q. You notified them?

15 A. Right. Eventually I was able to get a hold of the Corps
16 of Engineers.

17 Q. Telephone?

18 A. Telephone. I explained the situation to one of the
19 deckhands, and I believe his name was Bishop, but I'm not 100
20 percent sure. But I did speak to him. I indicated this is what
21 had happened, that Captain Pete McIsaac had recommended that they
22 launch a boat to collect the debris. At that time I also informed
23 him that we haven't had any, any reports of debris in the area,
24 and he was explaining, he went into his -- explained the
25 situation, well, due to the visibility, we really don't want to

1 get underway unless we absolutely have to.

2 Q. Right.

3 A. And they had other plans for that vessel for that day.

4 And --

5 Q. Army Corps of Engineer, Grisly --

6 A. Is a recovery boat.

7 Q. It's a recovery boat.

8 A. Debris recovery boat.

9 BY UNIDENTIFIED SPEAKER:

10 Q. Do you know off the top of your head if the Grisly was
11 in Saucedo (ph.)? Or was she laying down at Pier 32?

12 A. Saucedo.

13 MR. BOWLING: All right, take my floor --

14 BY MR. BOWLING:

15 Q. All right, recovery vessel, all right. I think I'm
16 caught up with the timeline at this point. Start me back -- I
17 don't want to go all the way back, but just --

18 A. Okay.

19 Q. -- after you -- when you -- first time you interacted
20 with the Sector Command Center, Vidowski, the first time you told
21 her that you would contact Caltrans.

22 A. Correct.

23 Q. How -- play me into the timeline when -- I know when you
24 told her that. Is it on here? Did I miss it when you actually
25 got through to Caltrans?

1 A. 8:33, it says notified Caltrans of bridge dispatch,
2 Caltrans dispatch of allision. So that all happened within -- as
3 soon as the one phone call ended, it went right into the next
4 phone call. The exact --

5 Q. But you --

6 A. -- time that --

7 Q. -- notified the Command Center and then that's also that
8 same timeline you notified, you did get a hold of Caltrans?

9 A. Correct, correct.

10 Q. Okay. All right. So you let them know at that point
11 there was a, an allision. Yes?

12 A. Correct.

13 Q. Who did --

14 A. Yes.

15 Q. -- you talk to there?

16 A. It was a dispatcher. I got handed off to about three
17 different people. The names I couldn't tell you. Obviously --

18 Q. That's fine.

19 A. -- the wrong number to call.

20 Q. We will get to the bottom of that. All right. So, all
21 right. I missed that. My apologies. So now we're back up around
22 9:05. You've contacted, notified the Army Corps of Engineers
23 about the incident, and you've got me up to the, the response
24 vessel Grisly. Had some other plans, and there were some weather
25 issues.

1 A. Correct. And the agreement was if, if we had solid
2 confirmation of debris, they would launch. No problem launching
3 at all.

4 Q. Okay.

5 A. But they -- due to the visibility, they really didn't
6 want to get underway if they didn't have to.

7 Q. Okay, all right.

8 A. Shortly there afterwards, I received a report that --
9 from the Lynn Marie, the tug Lynn Marie, this report actually came
10 over the phone to Frank Sheppard, who passed the information to
11 me, just -- that the Lynn Marie reported debris and oil in the
12 water.

13 Q. Now that came in from Sheppard, who had picked it up on
14 VHS?

15 A. On -- no, on the phone.

16 Q. On the phone.

17 A. At that point, Frank Sheppard had been relieved of the,
18 of the Central Bay control and was now watch assistant.

19 Q. Okay. Watch assistant. He's picking that up. And it
20 was by telephone call.

21 A. Correct. And that in turn gave me the confirmation to,
22 to call the Corps of Engineers back and let them know, yes, there
23 is debris and they would launch.

24 Q. I'm going to hold you right there --

25 A. Sure.

1 Q. -- at that timeline.

2 MR. BOWLING: If anybody needs to use the restroom or
3 get up and stretch, feel free to do it. If you two need to do it,
4 we'll take a break, but I want to keep going, if we can.

5 BY MR. BOWLING:

6 Q. A lot of these actions you're performing --

7 A. Correct.

8 Q. -- are those requirements for you -- number one, is it
9 spelled out in your, your work plan that you're evaluated on three
10 times a year as a civilian employee? Is it, is it detailed in
11 your work plan you initiate notification for, for Caltrans and --

12 A. No, no --

13 Q. Same line of thought or questions. Are, are the actions
14 you were performing detailed in any of the SOP's whether you got a
15 copy of it or you heard about a copy of it?

16 A. There's the basing [sic] guidance within the QSR, but as
17 far as written SOP if there's an allision, take steps one through
18 five, I don't believe so.

19 Q. QSR. Quick Response.

20 A. Quick Response Sheets, correct.

21 Q. Okay. All right. Also known as QRC's, Quick Response
22 Checkups.

23 A. Okay.

24 Q. That's QR, QR -- you said QRR, right?

25 A. QRS.

1 Q. QRS, Quick Response Sheet. Okay. But same
2 thing --

3 A. Correct.

4 Q. -- Quick Response Check-off?

5 A. Correct. Sheet that --

6 Q. Right. So but is there -- again, is there standing
7 guidance from anybody in a supervisory position down to you that
8 says these are your responsibilities when this happens on your
9 watch?

10 A. No. I would say no.

11 Q. All right, and that's fine. I'm just trying to put
12 pieces of the puzzle -- you were doing it because you wanted to
13 assist?

14 A. The notification of --

15 Q. Yes.

16 A. -- Caltran -- the Corps of Engineers was obviously --
17 was a recommendation that I, I thought was --

18 Q. All right. Do you know of any other entities, any of
19 these other watch groups within the structure, whether it's the
20 Command Center or the, you know, the various other -- whenever you
21 have a chance to digest the chart.

22 A. Okay.

23 Q. How were you integrating your actions with the
24 other --

25 A. The, the Command Center, I know, has that exact same

1 sheet to follow, which is that's what they'll follow. I was
2 basically just running what I thought was correct to do.

3 Q. Okay.

4 A. Just kind of talking with other sups and then during the
5 training process of -- well, what would you do in this situation?
6 It's more of, more of a hand-me-down-type knowledge of this is,
7 this is what I would recommend. And then where we've had other
8 instances where maybe there's been a bridge allision and has been
9 pointed out, well, you know what nobody ever notified the bridge.
10 And then so those are mainly like e-mails or maybe trainee talk.

11 Q. Please don't interpret this wrong. I'm just trying to
12 paint a picture to everyone, and, you know, it's better to have
13 notification from somebody rather than nobody. I just need to ask
14 these questions. So with regard to the -- as far as the
15 delineation of responsibility to make those calls, it doesn't fall
16 upon your, your desk, correct?

17 A. The, the only notification that, that is solid for us is
18 the Command Center.

19 Q. Right.

20 A. They need immediate situation, and then the Command
21 Center.

22 Q. They pick up the, the --

23 A. Correct.

24 Q. -- or at least by procedure they should pick up the
25 notification --

1 A. Correct, correct.

2 Q. All right. Were you when you were doing any of these
3 conversations back with Vidowski or whoever is picking up the
4 phone down the hill in the Command Center, were you letting them
5 know what you were doing here?

6 A. I let them know what the, the Caltrans, that I would
7 notify the Caltrans -- for the bridge. As far as the Corps of
8 Engineers, no, I did not notify them on the Corps of Engineers.

9 Q. And again, we're, we're just looking for facts.
10 Nobody -- I'm glad information was flowing, so. But, all right,
11 so we have at 9:22, the Army Corps of Engineers notified of
12 debris. They were notified VTS of a debris report?

13 A. Correct.

14 Q. They went out to respond. How did that come in?

15 A. That's when I called them up. I, I called them land
16 line and told them we had positive confirmation of debris, of the
17 timbers from the pier, and then they would respond.

18 Q. All right, you did that based on the --

19 A. Report from the Lynn Marie.

20 Q. -- the Lynn Marie.

21 A. And then additionally, I believe there was a ferry that
22 gave us amplifying information also.

23 Q. All right. Your entry of 9:23, that was a land line,
24 okay, got that. I don't want to keep beating that. Probably --
25 we may have to ask you to spend some more time with us after we go

1 to --

2 A. Sure.

3 Q. -- Command Center.

4 A. No problem.

5 MR. BOWLING: Okay. I'm going to -- gentlemen -- we
6 may ask to see you again just because you've got a lot to
7 contribute here, and we're not going to be able to get all this
8 and accurately recorded, and I mean so just next time you -- if we
9 do get back together, t-shirt and shorts. You don't have to dress
10 up. All right, so I'm going to, I'm going to step off this. I'll
11 take responsibility if the IAC beats me up for not going into
12 further detail. I have a bunch of areas I want to go, and we'll
13 be here all night going into that. So if I can, LT, we may want
14 to come back and spend a little more time here. But for now, just
15 getting some more information.

16 UNIDENTIFIED SPEAKER: Yeah, it's -- I'm sure he's
17 looking forward to coming back too.

18 UNIDENTIFIED SPEAKER: Oh, yeah.

19 MR. BOWLING: Actually, at this point, Ross, I'll turn
20 that over to you. Let's start from the Coast Guard, this
21 direction. Or you want me to start over here?

22 (Simultaneous comments.)

23 BY MR. TOLEDO:

24 Q. Gary Toledo from OSPR. Hello, Mr. Perez. I've got a
25 few questions for you.

1 A. Sure.

2 Q. Just want to get some clarification on your experience
3 of you -- did you actually start here in 1985 on the VTS?

4 A. As a military person, yes, correct.

5 Q. And then did your career, you know, continue through '85
6 to your supervisory position at present? Pretty much.

7 A. Yeah, yeah. Well, well there was -- yeah, I continued
8 and then I retired and then came back --

9 Q. Okay.

10 A. So I retired here.

11 MR. TOLEDO: I'm just trying to establish -- just trying
12 to figure out. He does have quite a bit of experience here since
13 roughly 1985.

14 MR. BOWLING: I think you can probably clarify that
15 little bit for him by talking about how, how your experience in
16 the Coast Guard or the military worked out. So probably like four
17 years here, four --

18 (Simultaneous comments.)

19 MR. PEREZ: As a, as a -- well, I kind of wrote it down
20 here as a -- I spent six years here as a military controller.

21 BY MR. TOLEDO:

22 Q. Okay.

23 A. And then I spent five years as a military supervisor
24 here. So those are in between different tours of ships. And then
25 I also did three years as a civilian controller and now a year as

1 a supervisor.

2 Q. Okay. 15 -- 15, okay.

3 A. 15 years of VTS.

4 Q. Okay, great. Okay. Based on that, has the role of VTS
5 evolved over the years to be more proactive these days?

6 A. Yes.

7 Q. Are you familiar with the San Francisco Vessel Traffic
8 System User Manual?

9 A. Yes.

10 UNIDENTIFIED SPEAKER: I, I'm not.

11 MR. TOLEDO: You're not? Okay.

12 UNIDENTIFIED SPEAKER: So if you can --

13 MR. TOLEDO: Okay.

14 BY MR. TOLEDO:

15 Q. If so, and you are, are you familiar -- are there any
16 provisions in this manual regarding controlling or directing
17 vessels in extreme conditions, say reduced visibility or emergency
18 situations?

19 A. I would have to review that again, but I believe there
20 are that we can direct a vessel and basically in general terms.
21 In other words, don't steer a course, but do not proceed any
22 further through that area.

23 Q. Okay. Trying to establish --

24 UNIDENTIFIED SPEAKER: What's the name of that document
25 again?

1 MR. PEREZ: Vessel Traffic --

2 (Simultaneous comments.)

3 MR. TOLEDO: It's available online.

4 UNIDENTIFIED SPEAKER: User Manual. It's online,
5 online, and it's 35, 40 pages.

6 UNIDENTIFIED SPEAKER: About 25, 30.

7 BY MR. TOLEDO:

8 Q. One other question. You mentioned that the monitors
9 don't have a playback capability, record and playback.

10 A. Yes, correct.

11 Q. Okay. But there is, and correct me if I'm wrong, an
12 ability to play back or at least record the data points for AIS?
13 Is that possible?

14 A. On our system, not that I'm -- it may be, be able to be
15 done, but it may be done on a IT level, not, not a --

16 Q. Okay.

17 A. -- controller or supervisor level.

18 Q. Okay. In other words, you can't do it on this
19 particular unit?

20 A. Right. I believe it's data extraction that the, the
21 support techs will do.

22 Q. So they could pull it out and --

23 A. I believe --

24 Q. -- reproduce it --

25 A. -- so --

1 (Simultaneous comments.)

2 A. -- they can pull out the -- latitudes and longitudes of
3 the vessels.

4 Q. Right.

5 A. And then from there, that can be extrapolated into
6 something else. I'm not sure.

7 Q. Okay.

8 MR. AGA: Have a GSP --

9 MR. TOLEDO: Okay, okay, thanks.

10 Thank you.

11 MR. BOWLING: Well, actually, you two need to
12 coordinate.

13 UNIDENTIFIED SPEAKER: Oh, okay, yeah.

14 MR. BOWLING: Sharing, you --

15 UNIDENTIFIED SPEAKER: We'll share.

16 BY CAPTAIN HURT:

17 Q. I'd just like to expand on -- Rick Hurt, San Francisco
18 Bar Pilots -- on what Captain Toledo was mentioning. Because
19 we're using that data at present to recreate and better understand
20 the track line, specifically through the Bar Channel approaching
21 Delta Echo. You've made some mention about information variations
22 when vessels -- when a vessel is turning sharply.

23 A. Correct.

24 Q. Can you expand on that a little bit?

25 A. From my, from my knowledge, the AIS display, the AIS

1 information comes in, depending on what the ship is doing, will
2 depend on how much the frequency of the transmitting of the data
3 out to the base station. So if the faster a boat goes, the more
4 data that's sent out. The slower it goes, the less data. If a
5 vessel is at anchor, the less time it sends out data. So
6 typically if a vessel is moving fast or already in a sharp turn,
7 they'll, they'll show that data. And in this case, we, we could
8 actually see that the AIS track had not yet, had not yet quite
9 caught up yet to the radar track.

10 Q. So on a very large -- let's say a very large vessel,
11 seagoing ship, what are you going to see as a, as an operator in
12 terms of numerical data on, on your user screen --

13 A. -- the --

14 Q. -- as far --

15 (Simultaneous comments.)

16 Q. -- spike or a vary or anything like that?

17 A. We have -- each vessel will have a track leader, which
18 will basically be a -- basically DR, whenever the vessel will be
19 and to a certain amount of time depending what the chart's set up
20 for. Our Central Bay chart is set up for three minutes. So we
21 have an idea in three minutes where that vessel will be based on
22 that track leader.

23 Q. So in a sharp turn, does that become unreliable or --

24 A. It's a little disputed because the, because the data's
25 coming in. I mean it's every six seconds, the data is sent out.

1 How our system actually processes all that data, I'm not 100
2 percent sure. Does it grab it all? We don't physically see a, a
3 course displayed. We have to open up -- either open up the, the
4 transit card, which will give us a, a static display of the
5 course, so it won't update while that card's open; or we can go to
6 what we call a sector summary, which will show -- an AIS updating.
7 But it doesn't correlate with the -- it's close to the radar
8 track, but not the actual track.

9 CAPTAIN HURT: Thank you. That's all I have.

10 MR. BOWLING: To my left.

11 BY MR. BROWN:

12 Q. Steve Brown, the American Pilot's Association. More out
13 of curiosity. When Mr. Sheppard called the ship and gave the --
14 you guys saw as his course and -- from that point on, did you guys
15 go back to normal routine or did you, you, Mr. Sheppard and Petty
16 Officer Cooper stop and just --

17 A. It pretty much was everybody just zoomed into the area.
18 I -- my, myself. The controllers could not actually, you know,
19 zoom in on our charts or anything of that nature. I have the
20 ability to do that, so I was able to expand on the picture, but
21 they still were maintaining the regular traffic and then also
22 monitoring that situation at the same time.

23 MR. BROWN: Thank you.

24 BY CAPTAIN MOLONEY:

25 Q. Pat Moloney, Pilot Commission. I show 0855, Unit 37,

1 Captain Hoburg has now relieved Unit Romeo and got that by VHF.

2 Were you noting the time off your watch or --

3 A. There --

4 Q. -- have --

5 A. -- there are several ways to get time in the Ops Center.
6 There are at least four -- different times in the operations
7 center. I typically will take the time off our cameras, just
8 because they're very convenient. We do have a central time, which
9 is a -- red clocks that are somewhat synced up to the, to the time
10 clock, but they tend to get off a little bit. So it just really
11 depends where you're pulling the times for, and I've seen the
12 times vary between a minute to five minutes on each clock.

13 Q. You're comfortable of that within a couple of minutes?

14 A. Oh, yes.

15 Q. Thank you.

16 COMMANDER SCHAEFER: Scott Schaefer. Could I see NTSB-
17 35, please?

18 MR. BOWLING: NTSB-35, sir, can be produced, uh-huh.

19 BY COMMANDER SCHAEFER:

20 Q. Can you go through the first couple lines over where
21 it's Unit 37 talking -- just read through who says what.

22 A. Okay. Unit 37, Traffic 37, then VTS response, calling
23 Traffic 37, go ahead. I'm on the Cosco Busan in here at Anchorage
24 7, and I'll be onboard for the duration. VTS -- are you looking
25 for who?

1 Q. No, that's --

2 A. Okay. Roger, understand. Unit Romeo and Unit 37 now
3 onboard the Cosco Busan. Is that correct? Over. That's a roger.
4 Thank you, Traffic, out. Then the next call is the Utinley (ph.)
5 traffic --

6 Q. So what Captain Moloney was trying to get at -- is that
7 in trying to do our timeline, did you take that as Unit 37 had
8 relieved as of 8:55 or was just reporting onboard?

9 A. I believe -- oh, I, I believe he -- at 8, at 8:55 he was
10 onboard relieving the, the --

11 Q. Okay. Next question. If you go back to the -- about
12 mid-29, whenever the questioning intentions was.

13 MR. BOWLING: If you can, refer -- you're referring back
14 to VHF Traffic?

15 COMMANDER SCHAEFER: VHF Traffic, and the same --

16 UNIDENTIFIED SPEAKER: And the -- log with Unit Romeo.

17 UNIDENTIFIED SPEAKER: Was Unit Romeo.

18 MR. PEREZ: At 8:29 ETS Unit Romeo Traffic, Traffic
19 Romeo. Roger, Captain. Are you still proceeding out? And then
20 Romeo came back with Traffic, and then Unit Romeo Traffic, AIS
21 shows you on a heading of 2 3 -- 2 3 5 heading. What are your
22 intentions? Over. I'm coming around. I'm steering 2 8 0 now.
23 Roger. Understand you still intend Delta Echo span? Over. Yeah.
24 We're still Delta Echo, still Delta Echo. Roger, Captain, and
25 then --

1 BY COMMANDER SCHAEFER:

2 Q. Okay. When Mr. Bowling was asking you about that
3 earlier, he asked -- he said something about providing verbal
4 reassurance. I'm asking about what you were thinking at the time
5 of the watch after Romeo came back. Were you verbally reassured
6 about his actions or had you just gone, gone to the extent of what
7 you do at Vessel Traffic?

8 A. I, I was reassured, because his voice came back very
9 calm, very demeanored. It wasn't, it wasn't, Traffic, why are you
10 calling me, type attitude or anything. It was just a straight
11 flat, Traffic, we're, we're coming around, we're steering -- says
12 I'm steering 2 8 -- 2 8 0 now. It was very matter of factual, it
13 was very factual.

14 Q. Okay. Back to your written statement you provided at
15 10:40. Army Corps of Engineers, Grisly at the Oakland Bay Bridge,
16 Alpha Bravo reports large amounts of heavy oil -- San Francisco
17 30, 32.

18 A. Correct.

19 Q. Did you relay that information anywhere?

20 A. No, we didn't.

21 UNIDENTIFIED SPEAKER: I'm sorry. I started to let out
22 Investigator in Charge know we're a little late, but someone
23 pulled the phone out. He had a point I needed to hear.

24 UNIDENTIFIED SPEAKER: Your question again was?

25 COMMANDER SCHAEFER: Yeah. What I'm working on is

1 the -- we're trying to get estimates of the amount of the spill.

2 COMMANDER SCHAEFER: So at 10:40 the Corps of Engineers
3 Grisly reported large amounts of heavy oil off San Francisco 30,
4 32.

5 UNIDENTIFIED SPEAKER: Okay, we're back on the
6 statement.

7 UNIDENTIFIED SPEAKER: Right.

8 UNIDENTIFIED SPEAKER: Right. Okay.

9 BY COMMANDER SCHAEFER:

10 Q. And so I was asking if you had relayed that anywhere?

11 A. No. My understanding was responses were already out
12 there. So I didn't know if that information was necessary for
13 Sector.

14 Q. So back at your statement, on 0854, you mentioned that
15 you were informed response was taking place. So that was your
16 assumption that somebody else was handling --

17 A. Correct, because I had also asked whether the Pacific
18 Responder or one of the major fuel boats was -- would have been
19 contacted, and I was, I was led to believe yes they were. Because
20 I initially got the impression that when I'd asked if the response
21 was going, it sounded like when I talked to Petty Officer Vidowski
22 that, yeah, the Coast Guard is sending people out to the boat, and
23 I wasn't looking for that response. I was looking for boom type
24 response.

25 Q. Okay, two more quick questions. On your statement, I

1 think we're dated -- it's dated 6 November. I believe written for
2 7 November.

3 A. Correct.

4 Q. And Larry will probably take that up with you to
5 get --

6 MR. BOWLING: -- right. Do you have a copy of --

7 MR. PEREZ: I have a copy of my statement, yes.

8 MR. BOWLING: All right. What I will do is if we can --
9 because I've been writing on this statement anyway, kind of some
10 notes. If you can on that one line it with the day, correct the
11 date, initial it, and we'll all get copies of that.

12 Commander, go ahead. I'm sorry. Okay. I was giving
13 him a chance to --

14 BY COMMANDER SCHAEFER:

15 Q. Then my last question is you have different size --
16 response vessels within San Francisco Bay area. Did -- you recall
17 the Clean Bay 2 or the Pacific Responder were two of the bigger
18 ones. Do you recall either of them checking in?

19 A. The first time, the Clean Bay 2, was during -- checking
20 in was during the watch relief process, which was my watch relief
21 process, which happened about 1330.

22 Q. Clean Bay 2?

23 A. Correct. Because I remember telling the oncoming
24 supervisor, Mr. Greg Role (ph.) that that was the first time that
25 I've heard any of the major boats check in.

1 Q. Well, listening to the tapes for a whole day, if there's
2 an easier way for us to just get a list of all the vessels that
3 checked in with VTS?

4 A. On my watch, the only vessel that checked in with VTS
5 was the Clean Bay 2 at the end of the watch, which was around
6 1330. I had -- we had no other vessels check in with us as far as
7 the response goes.

8 Q. And you mentioned you don't have steps 1 through 5 for
9 different incidents, but do you have the same step 1 each time?

10 A. -- and --

11 Q. Thank you.

12 MR. BOWLING: Okay, we'll come back around. Captain.

13 BY MR. AGA:

14 Q. Yeah. Nagarajan, Fleet Management. When the allision
15 took place, did you call for extra watch standers?

16 A. Yes.

17 Q. Watch hands?

18 A. Yes. The off watch stander, which was Mr. Zadon (ph.),
19 was immediately called into the Operations Center.

20 Q. I asked this question to both your subordinates. Does
21 the RACON show up on your radar display?

22 A. It depends on what bridge it is. The Oakland Bay
23 Bridge, it won't because of the, the angle of the bridge and our
24 radar. It will, it will -- the RACON actually displays across the
25 bridge, and therefore we won't see it.

1 Q. Okay. Because I saw a RACON on that bridge -- on the
2 screen. Maybe I seen another bridge then.

3 A. I don't ever recall seeing one on the Oakland Bay
4 Bridge, just because of the way our radars are set up and the way
5 it is.

6 Q. I am not saying that I --

7 A. Okay.

8 Q. -- I saw that, that's why I asked you. Okay, thank you.

9 BY MR. HOLLY:

10 Q. Rich Holly, Fish and Game. I've got a couple of
11 questions. Referring to your statements here, and in what you
12 said recently, from the time that Mr. Sheppard called Romeo and
13 said we hold you on 2 3 5 by AIS, what are your intentions --

14 A. Correct.

15 Q. -- kind of focus on that, that particular situation.

16 A. Correct.

17 Q. You went back to your scope and are standing.

18 A. Correct.

19 Q. Can you kind of walk us through as you recall what you
20 were see on that expanded display between the time that your, your
21 controllers had Romeo 2 3 5 and he reported an allision or a touch
22 about two, three minutes later?

23 A. Well, I recall watching the track turn, make its turn,
24 and then from our point of view, it was -- again, because of the,
25 the expansion we get on some of the radar tracks, it tends to

1 bleed together, and it appeared that at least in our -- my opinion
2 that it -- he wasn't going to make it, you know, and or it was
3 going to be extremely close as far as the Delta Tower went. And
4 again, I almost thought that he would go to Charlie Delta and
5 just -- but the ship just was still coming around. And was
6 basically just watching and unsure if he was going to make it or
7 not. We almost predicted -- it was almost a prediction that we
8 expected to get the call that he had hit the bridge.

9 Q. Okay. Couple more. Do you have any interface in your
10 procedures with the Marine Exchange in any way here?

11 A. Yes, we have -- Exchange on minor issues, but nothing --

12 Q. But nothing to do with traffic or anything like that?

13 A. Marine Exchange will call us up occasionally asking who
14 the pilot was or what ship checked in, if they missed that on 14,
15 because they monitor Channel 14. So --

16 Q. Administrative?

17 A. Right, administrative type issues. If we need to get a
18 hold of a ship and we can't get a hold of them, we'll go through
19 them to get a -- for an agent.

20 Q. Okay.

21 A. Agent contact information typically.

22 Q. Okay. Couple of -- these are random. There's no
23 particular order here. Just -- stuff for me.

24 UNIDENTIFIED SPEAKER: Now what exactly is the Marine
25 Exchange?

1 UNIDENTIFIED SPEAKER: -- information clearinghouse.

2 UNIDENTIFIED SPEAKER: If you can describe --
3 organization membership, shipping companies, government agencies
4 -- information, vessels underway, vessels proceeding to sea. They
5 know the coordination between tug escorts, anchors and pilots.

6 UNIDENTIFIED SPEAKER: Right.

7 UNIDENTIFIED SPEAKER: So I guess -- clearinghouse.

8 UNIDENTIFIED SPEAKER: Okay.

9 UNIDENTIFIED SPEAKER: The reason why I asked that is
10 three's an interface down in L.A., Long Beach that has a kind of
11 a --

12 UNIDENTIFIED SPEAKER: First I heard the term entire
13 time we've been here, so --

14 UNIDENTIFIED SPEAKER: Okay.

15 BY MR. HOLLY:

16 Q. Let me, just two more questions. I realize you've been
17 here for a long time, so I'll be brief. I notice in your, in your
18 testimony, the calls that you received here reporting oil or other
19 things, my, my impression is that your responsibility seems to be
20 that any information you get here you pass to Sector.

21 A. Correct.

22 Q. Okay. And then last, but not least, when you're in a
23 relieving process as supervisor, do you have any kind of a
24 checklist that you go over or kind of word of mouth or --

25 A. It's word of mouth. I mean it's a, a thing that we look

1 for. There are certain steps that we want to look for, but it's
2 typically word of mouth, this is what's going on. These are the
3 key points that are going on.

4 Q. Okay.

5 A. Anything -- typically throughout the watch we'll keep
6 notes on important issues and then what I'll do is I'll make sure
7 when I've -- the watch that I hit each one of those points that
8 happened during my watch so the other watch standard is aware of.

9 MR. HOLLY: Okay, thank you.

10 MR. BOWLING: Okay. Any questions from -- go ahead. Go
11 ahead.

12 BY UNIDENTIFIED SPEAKER:

13 Q. Last one. Do you have a, a watch log you keep?

14 A. We have a rough log or more of a pass-down log that we
15 keep basic information in, but it's not like a, a written minute-
16 by-minute.

17 Q. Not comparing it like to a ship's log?

18 A. No, not at all like a ship's log. Just more of a pass-
19 down general information log to the watch.

20 MR. BOWLING: All right, we will need to get a copy of
21 that. I will coordinate it through Ross. He's our contact, the
22 watch log, want to get a copy of that 06 through 08, November.
23 Let me narrow that down a little bit. Start at 0 -- 001 or, you
24 know, 1 minute after midnight on the 7th.

25 MR. PEREZ: Well, it does -- each watch will start it

1 off, so it -- we'll start actually -- the day will start at 2200
2 at night the night before.

3 MR. BOWLING: Beginning 2200 on the 6th through -- 40 --
4 give me three days.

5 MR. PEREZ: Three days. All right.

6 MR. BOWLING: All right. What we're going to do is
7 we're going to secure the -- actually, hand me the recorder.
8 We'll secure the interview. We'll conclude it at this point.

9 (Whereupon, the interview of Mr. Perez was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: The Investigation of the Cosco
 Busan/Bridge Allision
 San Francisco, California
 Interview of Mark J. Perez

DOCKET NUMBER: DCA-08-MM-004

PLACE: San Francisco, California

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

Katherine Motley
Transcriber